

State of South Dakota

EIGHTIETH SESSION LEGISLATIVE ASSEMBLY, 2005

475L0485

SENATE BILL NO. 117

Introduced by: Senators McNenny, Hansen (Tom), Hundstad, Kloucek, and Lintz and
Representatives Jensen, Brunner, Davis, Dykstra, Fryslie, Olson (Ryan),
Pederson (Gordon), and Tidemann

1 FOR AN ACT ENTITLED, An Act to provide for the development and implementation of
2 certain animal identification programs to maintain animal health and ensure the safety of the
3 food supply.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. That chapter 40-3 be amended by adding thereto a NEW SECTION to read as
6 follows:

7 The Animal Industry Board may develop and implement specific programs for the
8 identification of animals and premises involved in animal movements. Any program
9 implemented pursuant to this Act shall provide for confidentiality of identification records other
10 than those records used for mandatory disease control or eradication efforts.

11 Any identification program implemented pursuant to this Act shall be for the sole purpose
12 of maintaining animal health and ensuring the safety of the food supply.

13 Section 2. That chapter 40-3 be amended by adding thereto a NEW SECTION to read as
14 follows:

15 The Animal Industry Board may not develop and implement any identification program that



1 conflicts with or supercedes any provision of the state brand laws.

2 Section 3. That chapter 40-3 be amended by adding thereto a NEW SECTION to read as
3 follows:

4 The Animal Industry Board shall promulgate rules pursuant to chapter 1-26 for the
5 implementation of identification programs concerning:

- 6 (1) Descriptions of the systems used to implement identification programs;
- 7 (2) Methods and procedures to foster cooperation with industry, other states, and the
8 federal government in implementing identification programs;
- 9 (3) Definitions to be used in identification programs;
- 10 (4) Types of identification approved in identification programs;
- 11 (5) Methods for tracking movements of animals included in identification programs;
- 12 (6) Penalties for intentional removal of official identification devices from animals
13 within the state or from animals imported into the state;
- 14 (7) Confidentiality of identification records other than those used for mandatory disease
15 control and eradication programs;
- 16 (8) Types and species of animals included in identification programs; and
- 17 (9) Criteria for defining programs as voluntary or mandatory.